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**NEW YORK CITY
LAW DEPARTMENT**

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MEMO ENDORSED

August 22, 2024

VIA E.C.F.

Honorable Gary Stein
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl St.
New York, New York 10007

Application granted. The deadline for Defendants to respond to the Complaint is hereby extended to September 6, 2024. The Clerk of Court is respectfully directed to terminate Dkt 15.

Date: August 23, 2024
New York, New York

SO ORDERED:

**HON. GARY STEIN
UNITED STATES MAGISTRATE JUDGE**

Re: Moments v. Warden Ada Pressley et al.
1:24-cv-01865-GHW-GS

Your Honor:

I am an Assistant Corporation Counsel in the New York City Law Department and the attorney representing defendant the City of New York in this matter. Defendants write to respectfully request that the Court afford Defendants an additional two weeks to reply to Plaintiff's complaint. This is Defendants' first request for an extension of time to respond to the complaint, however, by the undersigned's own mistake, the undersigned improperly addressed and submitted this request to the presiding judge in this matter. Due to Plaintiff's incarcerated status, I was unable to obtain their position on the instant request.

By way of relevant background, Plaintiff filed the Complaint on March 11, 2024. A waiver of service was returned unexecuted as to Warden Ada Pressly on June 13, 2024 stating that she is no longer an employee of the agency. A waiver of service was returned executed as to the City of New York on June 24, 2024.

Additional time is required to properly address Plaintiff's arguments in the initial complaint. Defendants intend to submit a fully dispositive motion to dismiss and request the additional fourteen days to more fully investigate Plaintiff's claims. The requested extension of time will also afford this Office an opportunity to receive and review the relevant documentation concerning Plaintiff's allegations. Accordingly, we respectfully request that the Court extend the time for Defendants to submit its motion to dismiss from August 23, 2024, to September 6, 2024.

Defendants thank the Court for its time and consideration herein.

Respectfully submitted,

Bryn M. Ritchie

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General Litigation Division

CC: VIA FIRST-CLASS MAIL

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